

**REMARKS**

**Claim Objections.** The Office Action listed objections to claims 16 and 58 due to informalities. These claims have been amended to address these informalities.

**Claim Rejections under 35 USC 112.** The Office action posed rejections for various claims, each of which are listed below, along with the action taken by the applicant in overcoming the rejection.

The Office Action alleged that the phrase "among other things" rendered the claims 1 and 74 indefinite rendering the scope of the claims unascertainable. Applicant respectfully disagrees with the Office Action, arguing that this language merely indicates that the database is not limited to the storage of user information. However, the applicant has amended claims 1 and 74 to delete the referenced language, yet maintains that this amendment does not limit the use of the database for the storage of user information but rather, that the database at least is operable to store user information.

The Office Action rejected claim 8 stating that the term "specific content" is vague and indefinite. The applicant has amended this claim to more clearly indicate what is meant by specific content. Support for this amendment is found on page 11, lines 14-18 of the specification.

The Office Action rejected claims 37 and 41 stating that there is insufficient antecedent basis for the limitation "the raw data format". The applicant has amended these claims to overcome this rejection.

The Office Action rejected claim 44 stating that the preamble suggest one step where there are two steps which do not relate. The applicant has amended claim 44 to delete language that was unintended to be in the claim in the first place.

The Office Action rejected claim 61 stating that user points are being redeemed in two

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methods that don't appear to connect. The applicant has resolved this rejection by amending claim 61 to depend from claim 59 rather than claim 60.

The Office Action has rejected claim 11 stating that it is not clear where the content package is being delivered. However, applicant submits that in claim 1, from which claim 11 depends, it is clearly stated that the content package is delivered to a client platform. Claim 11 simply adds in the condition that the content package is delivered to the client platform based on a user's request generated at the client platform. Thus, the applicant respectfully submits that claim 11 is not indefinite and distinctly claims the subject matter which applicant regards as the invention.

The Office Action rejected claim 77 stating that the limitation "the currently active portion" does not have sufficient antecedent basis. Claim 77 has been amended to provide an antecedent basis for this limitation.

The Office Action rejected claim 86 stating that the limitation "the memory device" does not have sufficient antecedent basis. Claim 86 has been amended to provide an antecedent basis for this limitation.

**Claim Rejections under 35 USC 102.** The Office Action posed rejections for claims 33-34, 43-45, 47, 50-58, 62-68, 74-78, 80, 82 and 85-88 as being anticipated by U.S. Patent Number 5,732,216 to Logan (*Logan*).

Without agreeing or disagreeing with the basis of rejection posed by the Office Action, the applicant has decided to amend claims 33, 45 and 56 to indicate that the response information recited in the claim is associated with a previously delivered content segment. *Logan* does not

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describe, suggest or teach this element but rather, only mentions response information associated with a content segment to be downloaded in the future. This is very different from the present invention that operates to generate response information on a content segment that is presently within the playback device. Applicant submits that this amendment clearly qualifies claims 33, 45 and 56 for allowance. As for claims 34, 43-44, 47, 50-58, 62-64, these claims depend from what applicant now submits are allowable claims, and therefore should also be allowable.

The applicant cancels claims 65-90 without prejudice in the interest of expediting the present claims towards allowance. The applicant reserves the right to further prosecute these claims in a divisional application or to reinstate the claims later in prosecution.

**Claim Rejections under 35 USC 103.** The Office Action posed rejections for claims 1-3, 5-27 as being unpatentable over *Logan* in view of U.S. Patent Number 6,055,566 in view of *Kikinis*.

Without agreeing or disagreeing with the basis of rejection posed by the Office Action, the applicant has decided to amend claim 1 to indicate that the response information recited in the claim is associated with a previously delivered content segment. *Logan* does not describe, suggest or teach this element but rather, only mentions response information associated with a content segment to be downloaded in the future. This is very different from the present invention that operates to generate response information on a content segment that is presently within the playback device. Applicant submits that this amendment clearly qualifies claim 1 for allowance. As for claims 2-15, these claims depend from what applicant now submits is allowable claim 1, and

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therefore should also be allowable.

The applicant cancels claims 16-27 without prejudice in the interest of expediting the present claims towards allowance. The applicant reserves the right to further prosecute these claims in a divisional application or to reinstate the claims later in prosecution.

**Conclusion.** The applicant respectfully submits that the amendments to the claims do not add any new matter and are supported by the specification as originally filed on August 12, 1999. The applicant submits that claims 1-15 and 33-64 are still pending in this case and are in condition for allowance. Thus, the applicant requests the Office to allow these claims. If the Examiner believes that there are any issues that can be resolved by a telephone conference, or that there are any informalities that can be corrected by an Examiner's amendment, please call Gregory Smith at (770) 804-9070.

Respectfully submitted,



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